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9 File No.: 128105

10 *Attorneys for Plaintiff*

11  
12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 Viral DRM, LLC,

15 Plaintiff,

16 v.

17 California Off Road Recovery  
18 Group LLC,

19 Defendant.

20 Case No. 8:24-cv-00871-FMO-AS

21  
22 **DECLARATION OF JACQUELINE  
23 MANDEL, ESQ. IN SUPPORT OF  
24 PLAINTIFF'S MOTION FOR  
25 DEFAULT JUDGMENT**

26 JACQUELINE MANDEL, ESQ., pursuant to 28 U.S.C. §1746, hereby  
27 declares under penalty of perjury, as follows:

28 1. I am an attorney duly admitted to practice law before this Court and I  
1 am an associate attorney of Sanders Law Group, attorneys for the Plaintiff in this  
2 action. As such, I have personal knowledge of all facts and circumstances upon  
3 which this Declaration is based, except for those facts and circumstances set forth  
4 upon information and belief and, as to those facts, I believe them to be true, based  
5 upon conversations with my client, review of my file, and my personal involvement

1 in this case.

2 2. I submit this Declaration in support of Plaintiff's motion for a default  
3 judgment against defendant California Off Road Recovery Group LLC  
4 ("Defendant").

5 **Local Rule 55-1 Statement**

6 3. Plaintiff brings this motion for a default judgment against Defendant,  
7 by reason of the fact that Defendant defaulted in appearing in this action and that the  
8 facts set forth in the Complaint are sufficient to warrant judgment as a matter of law.  
9 In support thereof, I state as follows:

10 a. **When and against what party the default was entered:** Plaintiff filed  
11 a request for the Clerk to enter a certificate of default as against  
12 Defendant on August 13, 2024. (*Dkt. No. 30, et seq.*). The Clerk entered  
13 the requested notation of default against Defendant on August 14, 2024.  
14 (*Dkt. No. 31*);

15 b. **Identification of the pleading to which default was entered:** Default  
16 was entered as to the Amended Complaint filed against Defendant.  
17 (*Dkt. No. 22, et seq.*). The facts concerning service of the Amended  
18 Complaint are set forth more fully in my Declaration filed in support of  
19 the request for entry of Default (*Dkt. No. 30-1*) and the proof(s) of  
20 service of the Complaint have been filed with the Court (*Dkt. No. 28*);

21 c. **Whether the defaulting party is an infant or incompetent person,  
22 and if so, whether that person is represented by a general guardian,  
23 committee, conservator or other representative:** Defendant is not an  
24 infant or incompetent person. Instead, Defendant is a California  
25 corporation;

26 d. **That the Servicemembers Civil Relief Act (50 U.S.C. App. § 521)  
27 does not apply:** The Service members Civil Relief Act (50 U.S.C. App.  
28

§ 521) does not apply; and

e. **That notice has been served on the defaulting party, if required by F.R.Civ.P. 55(b)(2)**: Although not required under FRCP 55(b)(2), proof of service by mail on Defendant is annexed to the accompanying Notice of Motion.

## **Statement in Support of Award of Costs**

4. In his motion for a default judgment, Plaintiff seeks an award of: (i) statutory damages in the amount of \$12,500; (ii) attorneys' fees in the amount of \$1,350 pursuant to Civ. L.R. 55-3; and (iii) costs pursuant to 17 U.S.C. § 505.

5. Plaintiff's demand for costs consists of a demand for \$402.00, paid as the filing fee in this action, as well as the sum of \$95.00, representing the fee for service of the summons and complaint.

6. In support of Plaintiff's demand for recovery of the filing fee, it is respectfully submitted that the Court may take judicial notice of the fact that Plaintiff paid the sum of \$402.00 as a filing fee in this action (pursuant to Fed. R. Evid. 201 (c)(1), the Court may take judicial notice of Court records).

7. In support of Plaintiff's demand for recovery of the process server fees, attached hereto as *Exhibit 1* is the invoice received from the process server engaged in this action.

8. I swear that the foregoing is true and correct under penalty of perjury pursuant to the laws of the State of California and of the United States of America.

DATED: August 27, 2024

*/s/ Jacqueline Mandel*  
Jacqueline Mandel, Esq. (Cal Bar 317119)

1 EXHIBIT 1  
2  
3  
4  
5

JENSEN LEGAL SERVICES, INC.  
13781 FAIRMONT WAY  
TUSTIN, CA 92780  
TELEPHONE: (714)541-8825



6 BILL TO:

7 SANDERS LAW GROUP  
333 EARLE OVINGTON BOULEVARD, SUITE 402  
UNIONDALE, NY 11553

8 INVOICE  
9  
10

Client Matter #:  
Case #: 8:24-cv-00871-FMO-AS  
Court: UNITED STATES DISTRICT COURT FOR THE CENTRAL DIST  
Title: VIRAL DRM, LLC v CALIFORNIA OFF ROAD RECOVERY GROUP LLC  
Document(s): SUMMONS IN A CIVIL ACTION;AMENDED COMPLAINT DEMAND FOR JURY  
TRIAL

Description	Amount
SERVED: CALIFORNIA OFF ROAD RECOVERY GROUP LLC MANNER: July 19, 2024, 10:14 am - Personal Service	
Address for Service: 500 NORTH BRAND BLVD Suite #890, GLENDALE, CA 91203	
FEES: SERVICE OF DOCUMENTS - 2nd Address for the agent for service	\$95.00

22 Jensen Legal Services thanks you for your business.

TOTAL AMOUNT DUE: \$95.00